



February 22, 2002

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## ENGROSSED SENATE BILL No. 509

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DIGEST OF SB 509 (Updated February 21, 2002 8:43 AM - DI 107)

**Citations Affected:** IC 12-7; IC 12-17.2.

**Synopsis:** Child care immunization records. Requires a child care provider who is licensed or who receives child care and development fund reimbursement to maintain documentation concerning age appropriate immunization status of children in the provider's care.

**Effective:** July 1, 2002.

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(HOUSE SPONSORS — CRAWFORD, BUDAK)

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January 14, 2002, read first time and referred to Committee on Health and Provider Services.

January 29, 2002, reported favorably — Do Pass.

February 1, 2002, read second time, ordered engrossed. Engrossed.

February 5, 2002, read third time, passed. Yeas 48, nays 0.

#### HOUSE ACTION

February 11, 2002, read first time and referred to Committee on Human Affairs.

February 21, 2002, amended, reported — Do Pass.

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ES 509—LS 6866/DI 97+



February 22, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## ENGROSSED SENATE BILL No. 509

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A BILL FOR AN ACT to amend the Indiana Code concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 12-7-2-102.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2002]: **Sec. 102.5. "Health care**  
4 **professional", for purposes of IC 12-17.2, means:**  
5 (1) a licensed physician; or  
6 (2) an advanced practice nurse.  
7 SECTION 2. IC 12-17.2-3.5-11.1 IS ADDED TO THE INDIANA  
8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
9 [EFFECTIVE JULY 1, 2002]: **Sec. 11.1. (a) After December 31,**  
10 **2002, a provider shall maintain and annually update**  
11 **documentation provided by the health care professional of each**  
12 **child who is cared for in a facility where the provider provides**  
13 **child care that the child has received complete age appropriate**  
14 **immunizations, including:**  
15 (1) conjugated pneumococcal vaccine; and  
16 (2) varicella vaccine or a demonstrated immunity to varicella.  
17 **The state department of health shall determine for each age level**

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the immunizations that constitute complete age appropriate immunizations.

(b) A provider meets the requirement of subsection (a) if:

(1) a child's parent:

(A) objects to immunizations for religious reasons; and

(B) provides documentation of the parent's objection; or

(2) the child's health care professional provides documentation of a medical reason the child should not be immunized;

and the provider maintains and annually updates the documentation provided by the parent or health care professional under this subsection.

SECTION 3. IC 12-17.2-4-18.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 18.1. (a) After December 31, 2002, a licensee shall maintain and annually update documentation provided by the health care professional of each child who is cared for in a child care center where the licensee provides child care that the child has received complete age appropriate immunizations, including:**

(1) conjugated pneumococcal vaccine; and

(2) varicella vaccine or a demonstrated immunity to varicella.

The state department of health shall determine for each age level the immunizations that constitute complete age appropriate immunizations.

(b) A licensee meets the requirement of subsection (a) if:

(1) a child's parent:

(A) objects to immunizations for religious reasons; and

(B) provides documentation of the parent's objection; or

(2) the child's health care professional provides documentation of a medical reason the child should not be immunized;

and the licensee maintains and annually updates the documentation provided by the parent or physician under this subsection.

SECTION 4. IC 12-17.2-5-18.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 18.1. (a) After December 31, 2002, a licensee shall maintain and annually update documentation provided by the health care professional of each child who is cared for in a child care home where the licensee provides child care that the child has received complete age appropriate immunizations,**



1 including:

2 (1) conjugated pneumococcal vaccine; and

3 (2) varicella vaccine or a demonstrated immunity to varicella.

4 The state department of health shall determine for each age level  
5 the immunizations that constitute complete age appropriate  
6 immunizations.

7 (b) A licensee meets the requirement of subsection (a) if:

8 (1) a child's parent:

9 (A) objects to immunizations for religious reasons; and

10 (B) provides documentation of the parent's objection; or

11 (2) the child's health care professional provides  
12 documentation of a medical reason the child should not be  
13 immunized;

14 and the licensee maintains and annually updates the  
15 documentation provided by the parent or health care professional  
16 under this subsection.

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 509, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 509 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 7, Nays 0.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Human Affairs, to which was referred Senate Bill 509, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 12-7-2-102.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 102.5. "Health care professional", for purposes of IC 12-17.2, means:**

**(1) a licensed physician; or**

**(2) an advanced practice nurse."**

Page 1, line 5, delete "physician" and insert "**health care professional**".

Page 2, line 1, delete "physician" and insert "**health care professional**".

Page 2, line 4, delete "physician" and insert "**health care professional**".

Page 2, line 10, delete "physician" and insert "**health care professional**".

Page 2, line 22, delete "physician" and insert "**health care professional**".

Page 2, line 31, delete "physician" and insert "**health care professional**".

Page 3, line 1, delete "physician" and insert "**health care professional**".

Page 3, line 4, delete "physician" and insert "**health care professional**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 509 as printed January 30, 2002.)

SUMMERS, Chair

Committee Vote: yeas 10, nays 0.

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